

Missouri Ethics Commission

A Guide to Record-Keeping

For All Candidates and Committees



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Missouri Ethics Commission

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***Information about the Ethics Commission
and all forms and requirements can be
found on the Commission's website at
www.mec.mo.gov***

This booklet is intended only as a guide to aid understanding of the
Campaign Finance Disclosure Law.
For the Law's complete requirements, consult the law itself codified
at Chapter 130 of the Revised Statutes of Missouri.

About Record-Keeping

What is record-keeping?

The Campaign Finance Disclosure law requires that all committees and all candidates, regardless of their reporting status, as well as certain individuals and entities, maintain accurate and up-to-date accounts and records regarding their campaign-related financial activity.

What is the purpose of record-keeping?

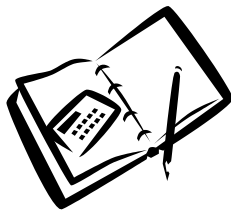
- ✓ Provide the information necessary to complete required reports and
- ✓ Provide a continuing record of financial transactions about committee activity and/or election

What are the requirements of record-keeping?

(130.036 RSMo)

Records must be:

- ✓ Maintained in accordance with accepted normal book-keeping procedures
- ✓ Accurate and up-to-date
- ✓ Started when first become candidate or committee
- ✓ Established for each election
- ✓ Kept for 3 years after election (candidate) or after report filed (all other committees)
- ✓ Available for inspection by Missouri Ethics Commission



About Record-Keeping

When am I defined as a candidate? (130.011.3 RSMo)

When you:

- ✓ Announce candidacy or
- ✓ File a declaration of candidacy or
- ✓ Receive contributions or make expenditures or reserve facilities for campaign or
- ✓ Know or have reason to know others are receiving contributions or making expenditures or reserving facilities for candidacy on your behalf

What is a committee? (130.011.7 RSMo)

A committee is a person or person(s) who:

- ✓ Accepts contributions or spends money for the purpose of attempting to influence the action of voters *and*
- ✓ The money spent or received exceeds certain dollar amounts

What are the types of committees? (130.011 RSMo)

- ✓ **Candidate**—Formed by single candidate for office for a specific election
- ✓ **Continuing**—Directed by someone other than the candidate and remains in existence beyond any one election or ballot issue
- ✓ **Campaign**—Formed to support or oppose a ballot measure in a specific election or the retention of judges
- ✓ **Debt Service**—Used to retire a candidate committee's debt
- ✓ **Exploratory**—Formed to receive and spend money to determine whether an individual will seek public office
- ✓ **Political Party**—State, district, county, city or area committee of a political party

About Record-Keeping

Who is responsible for record-keeping?

- ✓ Candidate
- ✓ Treasurer
- ✓ Deputy Treasurer (if appointed)

What are requirements of the treasurer? (130.021 RSMo)

- ✓ Must be appointed by candidate
- ✓ Must be resident of Missouri
- ✓ Must reside in candidate district or any county which contains a portion of that district

What are the duties of the treasurer? (130.021 RSMo)

- ✓ Deposit/Withdraw/Write Checks
 - ♦ From official bank account
 - ♦ Can be done by candidate and/or deputy treasurer
- ✓ Ensure that committee funds are not comingled
- ✓ Invest funds in savings/investment account
- ✓ Maintain committee record-keeping
- ✓ Maintain committee reporting
- ✓ Provide contact information for person responsible for preserving committee's records for 3 years after election/report and within 10 days after termination



About Record-Keeping

What must the records include? (130.036 RSMo)

Records and accounts must contain detailed information and any documentation necessary to prepare and substantiate any statement or report filed.

Examples:

- Receipts
- Deposit records
- Bills/Invoices
- Canceled checks
- Check register/stub
- Loans received documentation
- Loans made documentation
- Fund-raiser announcement/invite
- Fund-raiser documentation
- Any other documents used to verify an activity

Candidate Committees:

Records only apply to one election (primary or general). Individual records must be established for each election in which the candidate is involved. All records are required to be kept for at least three (3) years after the election.

All Other Committees:

Individual records must be established from the date the committee is formed and kept for 3 years from date of report.

About Record-Keeping

What are the time periods?

For each report the time period begins the day after the last report was filed (or the date the Statement of Committee Organization was filed) and continues through the report closing date for the specific report being filed.

Candidate/Campaign Committees: Aggregate totals of campaign finance activity are required for each election cycle. An election cycle is defined as:

- ✓ The period beginning on the date the candidate became a candidate and ending on 11:59 pm on the date of the primary election, if the candidate has a primary election, or at 11:59 pm on the day of the general election.
- ✓ If the candidate has a general election held after a primary election, the next aggregating period shall begin at midnight on the day after the primary and shall close at 11:59 pm on the day of the general election
- ✓ 130.041.2 RSMo

Continuing/Political Party Committees: Aggregate totals of campaign finance activity are required for each calendar year.

What do I need to keep track of?

- ✓ Contributions (including loans received)
- ✓ Fund-raisers
- ✓ Expenditures (including loans made)
- ✓ Bank Account Balance
- ✓ Petty Cash

Bank Account

Bank (Official Depository) Account

What is an official depository account? (130.021.4 RSMo)

A checking account or some type of negotiable draft or negotiable order of withdrawal account maintained by the committee.

- ✓ Must be a federally or state-chartered bank, savings & loan or credit union.
- ✓ Must be able to provide a record of deposits, canceled checks or other canceled instruments of withdrawal evidencing each transaction
- ✓ Must be held in the name of committee
- ✓ All contributions received by committee must be deposited in this account
- ✓ All expenditures made by the committee must be drawn from this account (except petty cash)
- ✓ Funds cannot be comingled
- ✓ Reconcile bank statements with committee records
- ✓ Keep original documents
- ✓ *Examples of possible original documents*
 - ◆ Monthly bank statements
 - ◆ Canceled checks/deposit slips
 - ◆ Check stub/register
 - ◆ Any other documents used to verify an activity



Contributions

Contributions

What is a Contribution? (130.011.12 RSMo)

A payment, gift, loan, advance, deposit or donation of money or anything of value for the purpose of supporting or opposing a candidate or ballot measure.

A contribution can be in the form of money (monetary) or in a form other than money (in-kind).

Examples of Monetary Contributions (130.011.12 RSMo)

- ✓ Candidate's own money used
- ✓ Funds from another source
- ✓ Receipts from sale of goods/services or fund-raisers
- ✓ Any loan, loan guarantee or cancellation of a loan or debt by a third party

Examples of In-Kind Contributions (130.011.12 RSMo)

- ✓ Candidate's own property used
- ✓ Payment by someone other than candidate or the committee to compensate another for services rendered
- ✓ Facilities, office space, equipment, or services supplied without charge or at a reduced charge

Contributions DO NOT include (Examples)

- ✓ Ordinary hospitality or services provided without compensation by volunteers
- ✓ Interest earned on deposit of committee funds (Misc. receipt)

Contributions

Anonymous Contribution (130.031 RSMo)

- ✓ Anonymous contributions over \$25 are prohibited (unless received through a fund-raiser, then limited to \$100)
- ✓ Anonymous contributions cannot exceed, for the entire calendar year, \$500 or 1% of the total amount of contributions received for that same calendar year

Recording a Contribution (over \$25) (130.036 RSMo)

- ✓ Required Information
 - ◆ Date received
 - ◆ Name & address of contributor
 - ◆ Amount of contribution
 - ◆ Type of contribution (monetary or in-kind)
 - ◆ Employer (or occupation if self-employed)
 - ◆ Contractual Relationship (Candidate Committee only)
- ✓ Maintain current list of contributors
- ✓ Maintain running total of contributions
- ✓ Keep original documents
- ✓ *Examples of possible original documents*
 - ◆ Receipts
 - ◆ Deposit slips
 - ◆ Loans received documents
 - ◆ Any other documents used to verify an activity



Contributions

Contributions—Rejecting/Returning (130.036 RSMo)

- ✓ Considered accepted on the date received regardless of when it is deposited
- ✓ If rejecting:
 - ◆ Must return to donor within 10 business days
 - ◆ Must include in record-keeping
- ✓ If returning:
 - ◆ Must include in record-keeping
 - ◆ Must report as miscellaneous disbursement
- ✓ If not returned to donor, should be turned over to state treasurer

Contributions—Sample (to obtain donor information)

Contributions Received	
Date	10/01/09
Name & Address (Donor) (or Committee info)	John Wayne 101 Big Jake's Way Ghost Town MO 64555
Employer/Occupation (over \$25)	American Hero
Amount	\$125.00
Contractual Relationship over \$500 w/state or political subdivision (If yes, give brief description of relationship)	No

Contributions

Contributions—Sample (for Treasurer's record-keeping)

Individual Contribution File						
<div> <div> Name of Contributor: John Wayne Address: 101 Big Jake's Way, Ghost Town MO 64555 Employer: American Hero Contractual Relationship: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </div> <div> (If yes, give brief description: _____) </div> </div>						
<div> <div>Committee type will determine if aggregate is for calendar year or election cycle</div> </div>						
Date	Monetary Amount	In-Kind Contribution	Loan	Rec'd at Fund-raiser	Amount Reported	Aggregate
06/25	\$ 50.00	Description Value	No	No	\$ 50.00	\$ 50.00
07/01		Calculator \$ 25.00	No	No	25.00	75.00
09/03	50.00		No	No	50.00	125.00
10/01	125.00		No	Yes	125.00	250.00

Contributions Review

Contribution Type		Record-Keeping		Reporting
Anonymous (without donor info)	\$0 – \$25	Yes		Non-Itemized Contributions Received
Anonymous (without donor info)	>\$25	Prohibited		Prohibited
Anonymous (without donor info) Fund-Raiser Only	\$25 – \$100	Yes (Fund-raiser info)		Non-Itemized Contributions Received & Fund-Raising Statement
Cash or check from an individual (as defined)	\$25-\$100	Yes (Name, address & employer/occupation)		Non-Itemized Contributions Received*
Cash	>\$100	Prohibited		Prohibited
Check From an individual (as defined)	>\$100	Yes ** (Name, address & employer/occupation)		Itemized Contributions Received
From an Committee	Cash < \$100 or Check (any amt)	Yes (Committee name & address))		Itemized Contributions Received

* If total from single contributor exceeds \$100, must itemize.

** If applicable, contractual relationship information

Expenditures

Expenditure

What is an Expenditure? (130.011.16 RSMo)

A payment, advance, conveyance, deposit, donation or contribution of money or anything of value to support or oppose a candidate or ballot measure (or to pay a previously incurred campaign debt or obligation).

Any expenditure can be either actual (payment made) or incurred (promise/commitment to pay).

Expenditures include (130.011.16 RSMo)

- ✓ Payment or promise to pay money or anything of value for the purpose of goods, services, property, facilities or anything of value to support or oppose a candidate, ballot measure or a committee
- ✓ Purchase of tickets, goods, services, or political merchandise or advertisement
- ✓ Transfer of funds to another committee
- ✓ Direct or indirect payment, other than by a connected organization, for the costs of maintaining a committee and soliciting contributions

Expenditures DO NOT include (130.011.16 RSMo)

- ✓ Any news story, commentary, or editorial published without charge
- ✓ Internal dissemination of information by any organization (unless over \$2,000/calendar year)
- ✓ Repayment of loan (separate category)
- ✓ Services rendered by volunteers
- ✓ Costs incurred by a connected organization to maintain a committee or for soliciting contributions
- ✓ Use of candidate's own money or property for personal expenses and filing fee for candidacy

Expenditures

Recording an Expenditure (130.036.4 RSMo)

- ✓ Required Information
 - ◆ Date & amount of each transaction
 - ◆ Name & address of person paid
 - ◆ Purpose of expenditure
 - ◆ Indicate if actual (paid) or incurred expense
 - ◆ Keep original documents
- ✓ Divide records into support/oppose categories (continuing committees only)
- ✓ Keep original documents
- ✓ *Examples of possible original documents*
 - ◆ Bills
 - ◆ Invoices/Statements
 - ◆ Credit card statements
 - ◆ Check stub/register
 - ◆ Loans made documents
 - ◆ Any other documents used to verify an activity

Expenditure —Sample

Individual Expenditure Made	
Date	09/01/09
Amount	65.40
Name & Address (Payee)	Campaign Supplies PO Box 1614, Jefferson City Mo 63103
Purpose	Brochures
Type (Actual (paid) or Incurred)	Actual
Support or Oppose	N/A
Verifying Document(s)	Check sub #130, Invoice

Expenditures

Expenditure — Sample (for Treasurer's record-keeping)

Expenditure Log								
Date	Recipient	Check No.	Address City, State Zip	Purpose	FR	Actual (paid)	Incurred	Loan Made
09/01	Campaign Suppliers	130	PO Box 1614 Jeff City MO 63103	Brochures	No	\$ 65.40		No
09/15	Petty Cash	131		Petty Cash	No	50.00		No
09/30	Deli Store	132	123 Rodeo Rd Jeff City MO 63103	Deli-trays	Yes	85.00		No
10/01	Photo Shop		PO Box 32 Jeff City MO 63103	Photo	No		\$ 200.00	No
10/01	Country Mart	134	102 Missouri Jeff City MO 63101	Water	Yes	27.50		No
10/01	US Post Office	135	288 Weber St. Tipton MO 65081	Stamps	No	150.00		No

FR = Fund-Raiser

Fund-raisers

Fund-raising

What is fund-raising? (130.011.18 RSMo)

An event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by:

- ✓ Purchase of tickets
- ✓ Payment of attendance fees
- ✓ Donations for prizes
- ✓ Purchase of goods, services or political merchandise

Requirements for a fund-raiser (130.031.6 RSMo)

- ✓ 25 or more contributors participate
- ✓ Person responsible
 - ◆ Announces that it is illegal for anyone to make or receive contributions over \$100 unless provide name and address
 - ◆ Doesn't knowingly accept payment from any person over \$100 unless their name and address is obtained

Recording a Fund-raiser (130.031.6.4 RSMo)

- ✓ Required Information
 - ◆ Name & address for whom funds were raised
 - ◆ Location name and address of activity
 - ◆ Description of activity and fund-raising methods used
 - ◆ Name & address of person conducting activity
 - ◆ Date of activity
 - ◆ Number of participants
 - ◆ Gross receipts & list of expenditures
 - ◆ Total amount of contributions received:
 - From persons whose name/address weren't obtained & why
 - From persons whose name/address were identified

Cont. 

Fund-raisers

Recording a Fund-raiser (continued)

- ✓ Keep original documents
- ✓ Examples of possible original documents
 - ◆ Fund-raising announcement/invite
 - ◆ Rental agreement for location
 - ◆ Roster of attendees
 - ◆ Tally of contributions
 - ◆ Bills/invoices for expenses made for activity
 - ◆ Any other documents used to verify an activity

Fund-raiser—Sample

Fund-raiser			
Name & address of person funds were raised for	Marvin Senator 48 Second Street Ava MO 62222	Total Contributions (\$100 or less/person) whose name/address not obtained	\$ 1, 280.00
Location name & address	Capital Plaza	Total contributions from persons already in committee records	\$ 4, 250.00
Description	Reception	Gross Receipts	\$ 5, 530.00
Name & address of person responsible for event	Joe Entertainer 3411 Wildwood Fulton MO 65555	Explanation why name/address of person contributing \$25 or less not obtained	Pass the hat
Date	09/30/09	Expenditures: Food Rent Total	\$ 350.00
Number of participants	60		<u>250.00</u> \$ 600.00
Verifying Document(s)	Invite, Rental agreement, Guest sign-in sheet, Statements from vendors and hotel		

Petty Cash

Petty Cash

What is petty cash? (130.031.2 RSMo)

The Campaign Finance Disclosure Law allows the use of a petty cash fund for small day-to-day expenditures.

- ✓ Single payments in cash are limited to no more than \$50.
- ✓ A petty cash fund can only be replenished by a check, made payable to “cash” and drawn on the committee’s official fund depository account.
- ✓ Each cash expenditure should be recorded.
- ✓ The aggregate of all expenditures from a petty cash fund during a calendar year can not exceed the lesser of \$5,000 or ten percent of all expenditures made during that calendar year.
- ✓ Keep original documents
- ✓ *Examples of possible original documents:*
 - ♦ *Petty cash ledger/log*
 - ♦ *Receipts*
 - ♦ *Any other documents used to verify an activity*

Petty Cash —Sample

Petty Cash Log			
Date	Purpose	Amount	Balance
	Balance Forward		\$ 50.00
10/15/09	Staples	\$ 4.50	45.50
10/22/09	Refreshments	23.72	21.78

Reporting Checklist

Name of Report		Report Information
	Statement of Committee Organization	Within 20 days of forming committee
	PIN Application/Waiver	For electronic filing
	April Quarterly	Jan 1 – Mar 31
	July Quarterly	Apr 1 – June 30
	October Quarterly	July 1 – Sept 30
	January Quarterly	Oct 1 – Dec 31
	40 Day Before Election Report	Closes 45 th day prior to election
	8 Day Before Election Report	Closes 12 th day prior to election
	30 Day After Election Report	30 days after election
	24 Hours After Receipt Report	Between 11 th day through 1 day prior to election for any contrib. over \$250
	48 Hour Notice of Contribution Report	Anytime a contribution is received over \$5,000
	Late Expenditure Report (Continuing Committee)	Expenditures of \$250 or more after the 12 th day before the election

Actual reporting dates may vary depending upon date committee formed.

Notes

[illegible]

Missouri Ethics Commission

COMMISSIONERS

Jeffrey B. Davison

Republican

6th Congressional District

Term expires March 15, 2012

James R. Tweedy

Democrat

8th Congressional District

Term expires March 15, 2012

Jim Wright

Republican

2nd Congressional District

Term expires March 15, 2012

Vacant seats will be filled March, 2010

Contact Information

Staff Contacts

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Betsy Byers—**Director of Business Services**
Campaign Finance

Elizabeth (Liz) Ziegler—**General Counsel**

Missouri Ethics Commission

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